

Department 125 - Attorney General
House Bill No. 1003

Dalrymple Executive Budget Comparison to Prior Biennium Appropriations

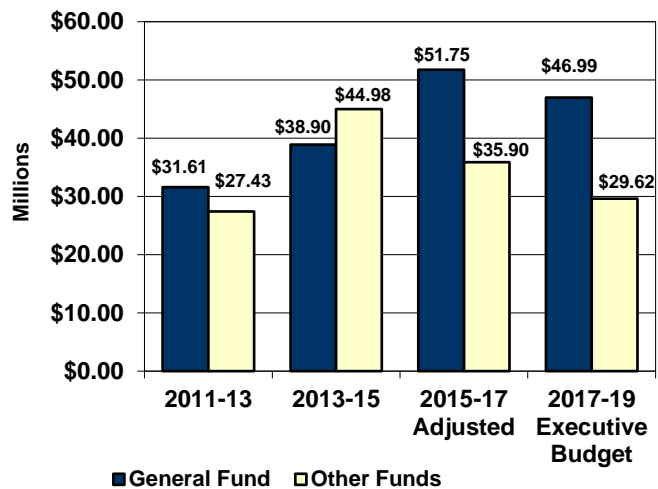
	FTE Positions	General Fund	Other Funds	Total
2017-19 Dalrymple Executive Budget	234.00	\$46,993,970	\$29,617,737	\$76,611,707
2015-17 Adjusted Legislative Appropriations ¹	250.00	51,749,685	35,900,785	87,650,470
Increase (Decrease)	(16.00)	(\$4,755,715)	(\$6,283,048)	(\$11,038,763)

¹The 2015-17 biennium agency appropriation amounts reflect general fund budget reductions made in August 2016.

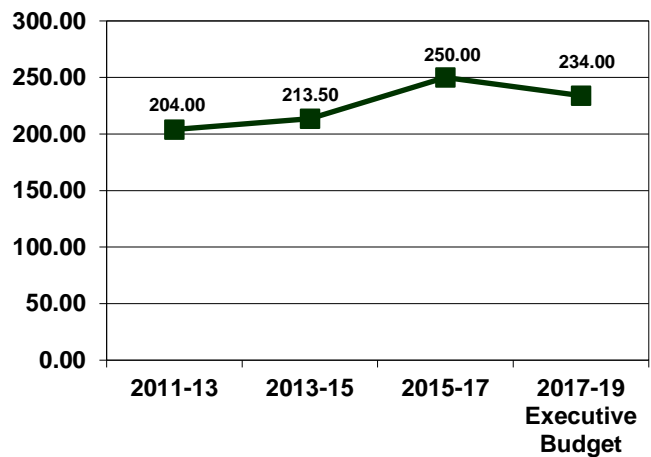
Ongoing and One-Time General Fund Appropriations

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2017-19 Dalrymple Executive Budget	\$46,993,970	\$0	\$46,993,970
2015-17 Adjusted Legislative Appropriations	48,466,861	3,282,824	51,749,685
Increase (Decrease)	(\$1,472,891)	(\$3,282,824)	(\$4,755,715)

Agency Funding



FTE Positions



Dalrymple Executive Budget Comparison to Base Level

	General Fund	Other Funds	Total
2017-19 Dalrymple Executive Budget	\$46,993,970	\$29,617,737	\$76,611,707
2017-19 Base Level	48,466,861	35,247,452	83,714,313
Increase (Decrease)	(\$1,472,891)	(\$5,629,715)	(\$7,102,606)

First House Action

Attached is a comparison worksheet detailing first house changes to base level funding and the executive budget.

**Dalrymple and Burgum Executive Budget Highlights
(With First House Changes in Bold)**

	General Fund	Other Funds	Total
1. Adds funding for state employee salary and benefit increases, of which \$198,047 is for salary increases and \$695,462 is for health insurance increases. (The Burgum budget removed funding for salary increases and provided for employees to pay for a portion of health insurance.) The House removed funding for the salary increases.	\$818,534	\$74,975	\$893,509
2. Removes 16 FTE positions. (The Burgum budget removed an additional 2 FTE positions and funding of \$328,200 from the general fund.) The House removed 3 FTE positions in addition to the Dalrymple budget and funding of \$134,000 from the	(\$952,505)	(\$60,722)	(\$1,013,227)

general fund. The House underfunded salaries and wages from the general fund by \$929,297.

3. Changes funding source for 2 FTE positions to federal funds. The House changed funding source for 6 additional FTE positions to federal and other funding sources.	(\$262,767)	\$262,767	\$0
4. Removes funding for the 24/7 sobriety program (The Attorney General has a continuing appropriation from the revenues used to fund the 24/7 sobriety program)	\$0	(\$6,375,572)	(\$6,375,572)
5. Adjusts funding for operating expenses. (The Burgum budget reduced an additional \$595,200 for operating expenses.) The House reduced an additional \$891,689 in funding from the general fund from the Dalrymple budget and increased funding from other funds by \$21,874.	\$201,141	(\$1,219,094)	(\$1,017,953)
6. Reduces funding for criminal justice information sharing to provide total funding of \$3,391,562	(\$188,741)	(\$291,482)	(\$480,223)
7. Reduces funding for law enforcement	(\$219,348)	\$0	(\$219,348)
8. Increases federal funds spending authority	\$0	\$228,897	\$228,897
9. Adds funding for information technology disaster recovery system	\$46,703	\$0	\$46,703
10. Removes funding for abortion litigation fees of \$400,000 (\$100,000 transferred to operating expenses and \$100,000 transferred to litigation fees)	(\$200,000)	\$0	(\$200,000)
11. Increases funding for Indian gaming audit expenses	\$0	\$37,500	\$37,500
12. Adds funding for equipment	(\$194,388)	\$606,882	\$412,494
13. Increases funding for the State Crime Laboratory building bond payments	\$529	\$0	\$529

Other Sections in House Bill No. 1003

Health insurance increase - Section 2 identifies the amount included in the agency appropriations relating to increases in employee health insurance premiums from \$1,130 to \$1,249 per month.

Tobacco settlement trust fund - Section 4 identifies \$200,000 from the tobacco settlement trust fund for the Attorney General for the purpose of enforcing the Master Settlement Agreement and any disputes with the agreement.

Appropriation - Additional federal funds or other funds - Section 5 appropriates \$250,000 from federal or other funds to the Attorney General, for the purpose of defraying the expenses of the Attorney General for the 2017-19 biennium. The Attorney General shall report to the Office of Management and Budget and the Legislative Council on the availability of this funding.

Exemption - Strategic investment and improvements fund - Section 6 provides an exemption for funding appropriated from the strategic investment and improvements fund by the 2013-15 Legislative Assembly to the Attorney General for the use of crime-related needs of the Attorney General's office for the 2017-19 biennium.

Continuing appropriations - Section 7 provides the Attorney General may retain the balance in the Attorney General refund fund on June 30, 2017, rather than transferring the balance to the general fund.

Continuing Appropriations

Assets forfeiture fund - North Dakota Century Code Section 54-12-14 - To pay costs related to law enforcement activities of the Attorney General's office.

Lottery operating fund - Section 53-12.1-09 - To pay costs of operating the lottery.

Refund fund - Section 54-12-18 - To pay costs of the Consumer Protection and Antitrust Division and the Gaming Division.

Special operations team reimbursement fund - Section 54-12-23 - To reimburse city and county governments that provide special operations team services to rural areas.

24/7 sobriety program fund - Section 54-12-29 - To pay costs of administering and operating the 24/7 sobriety program.

Multijurisdictional drug task force fund - Section 54-12-26 - To provide support for the narcotics enforcement efforts of the state.

Significant Audit Findings

The operational audit for the Attorney General's office conducted by the State Auditor's office during the 2015-16 interim identified no significant audit findings.

Major Related Legislation

House Bill No. 1194 - Requires the Attorney General to develop a card containing the rights of victims as provided in North Dakota Century Code Chapter 12.1-34 and Section 26 of Article I of the Constitution of North Dakota.

House Bill No. 1226 - Requires the Department of Human Services, with the cooperation of the Governor and the Attorney General, to study the feasibility and desirability of establishing a Medicaid fraud control unit during the 2017-18 interim.

Senate Bill No. 2054 - Creates a new section to Chapter 54-12 which authorizes law enforcement officers with a minimum of 2 years of employment in the state licensed under Chapter 12-63 to waive 25 percent of resident tuition and fees on any institution of higher education under the control of the State Board of Higher Education for up to 5 years if the law enforcement officer meets specific requirements. The amount of waivers granted each year by institutions under the control of the State Board of Higher Education is not to exceed \$1 million. The section directs the Attorney General to adopt rules necessary to implement the new section.

Senate Bill No. 2191 - Appropriates \$250,000 from the strategic investment and improvements fund, to the Attorney General for providing grants through the domestic violence and rape crisis program for community- or hospital-based sexual assault examiner programs during the 2017-19 biennium.

Senate Bill No. 2203 - Appropriates \$500,000 from the general fund, to the Attorney General for providing grants to organizations involved in providing prevention and treatment services related to human trafficking victims during the 2017-19 biennium.

Attorney General - Budget No. 125
House Bill No. 1003
Base Level Funding Changes

	Burgum Executive Budget Recommendation (Changes to Dalrymple Budget in Bold)				House Version			
	FTE Positions	General Fund	Other Funds	Total	FTE Position	General Fund	Other Funds	Total
2017-19 Biennium Base Level	250.00	\$48,466,861	\$35,247,452	\$83,714,313	250.00	\$48,466,861	\$35,247,452	\$83,714,313
2017-19 Ongoing Funding Changes								
Base payroll changes		(\$522,049)	\$1,106,134	\$584,085		(\$522,049)	\$1,106,134	\$584,085
Salary increase				0				0
Health insurance increase		637,105	58,357	695,462		637,105	58,357	695,462
Employee portion of health insurance		(330,753)	(30,571)	(361,324)				0
Removes 16 FTE positions	(16.00)	(952,505)	(60,722)	(1,013,227)	(16.00)	(952,505)	(60,722)	(1,013,227)
Changes funding source for 8 FTE positions		(262,767)	262,767	0		(1,120,322)	1,120,322	0
Removes 2 additional FTE positions	(2.00)	(328,300)		(328,300)				0
Removes 3 additional FTE positions				0	(3.00)	(134,000)		(134,000)
Underfunds salaries and wages				0		(929,297)		(929,297)
Removes funding for 24/7 sobriety program			(6,375,572)	(6,375,572)			(6,375,572)	(6,375,572)
Adjusts funding for operating expenses		301,141	(1,219,094)	(917,953)		301,141	(1,219,094)	(917,953)
Reduces funding for criminal justice information sharing		(188,741)	(291,482)	(480,223)		(188,741)	(291,482)	(480,223)
Reduces funding for law enforcement		(219,348)		(219,348)		(219,348)		(219,348)
Increases federal funds spending authority			228,897	228,897			228,897	228,897
Adds funding for IT disaster recovery system		46,703		46,703		46,703		46,703
Removes funding for abortion litigation fees		(400,000)		(400,000)		(400,000)		(400,000)
Increases funding for litigation fees		100,000		100,000		100,000		100,000
Increases funding for Indian gaming audit expenses			37,500	37,500			37,500	37,500
Adds funding for equipment		(194,388)	606,882	412,494		(194,388)	606,882	412,494
Increases funding for the State Crime Lab bond payments		529		529		529		529
Reduces funding for intellectual property attorney				0				0
Reduces funding for operating expenses		(595,200)		(595,200)				0
Reduces operating expenses				0		(891,689)	21,874	(869,815)
Total ongoing funding changes	(18.00)	(\$2,908,573)	(\$5,676,904)	(\$8,585,477)	(19.00)	(\$4,466,861)	(\$4,766,904)	(\$9,233,765)
One-time funding items								
No one-time funding				0				0
Total one-time funding changes	0.00	\$0	\$0	\$0	0.00	\$0	\$0	\$0
Total Changes to Base Level Funding	(18.00)	(\$2,908,573)	(\$5,676,904)	(\$8,585,477)	(19.00)	(\$4,466,861)	(\$4,766,904)	(\$9,233,765)
2017-19 Total Funding	232.00	\$45,558,288	\$29,570,548	\$75,128,836	231.00	\$44,000,000	\$30,480,548	\$74,480,548

Other Sections in Attorney General - Budget No. 125

**Burgum Executive Budget Recommendation
(Changes to Dalrymple Budget in Bold)**

House Version

Health insurance increase

Section 2 identifies the funding increase for health insurance premium increases included in the agency's appropriation.

Tobacco settlement trust fund

Section 3 identifies \$200,000 from the tobacco settlement trust fund for the Attorney General for the purpose of enforcing the Master Settlement Agreement and any disputes with the agreement.

Section 4 identifies \$200,000 from the tobacco settlement trust fund for the Attorney General for the purpose of enforcing the Master Settlement Agreement and any disputes with the agreement.

Appropriation - Additional federal funds or other funds

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Exemption - Strategic investment and improvements fund

Section 4 provides an exemption for funding appropriated from the strategic investment and improvements fund by the 2013-15 Legislative Assembly to the Attorney General for the use of crime-related needs of the Attorney General's office for the 2017-19 biennium.

Section 6 provides an exemption for funding appropriated from the strategic investment and improvements fund by the 2013-15 Legislative Assembly to the Attorney General for the use of crime-related needs of the Attorney General's office for the 2017-19 biennium.

Continuing appropriations

Section 5 provides the Attorney General may retain the balance in the Attorney General refund fund on June 30, 2017, rather than transferring the balance to the general fund.

Section 7 provides the Attorney General may retain the balance in the Attorney General refund fund on June 30, 2017, rather than transferring the balance to the general fund.

Salary of Attorney General

Section 6 provides for the statutory changes to increase the Attorney General's salary by 1 percent in the 2nd year. **(The Burgum budget recommendation removes this section.)**

Department 125 - Attorney General

Appropriations Comparisons to the Original and Adjusted Base Budgets

Reductions to 2015-17 Biennium General Fund Appropriations (As a result of the August 2016 General Fund Budget Reductions)

	Ongoing	One-Time	Total
2015-17 original general fund appropriations	\$51,701,902	\$3,674,968	\$55,376,870
General fund reductions	(3,235,041)	(392,144)	(3,627,185)
Adjusted 2015-17 appropriations	\$48,466,861	\$3,282,824	\$51,749,685
Dalrymple Executive Budget changes	(1,472,891)	(3,282,824)	(4,755,715)
2017-19 Dalrymple Executive Budget	\$46,993,970	\$0	\$46,993,970

Summary of August 2016 General Fund Budget Reductions

	Ongoing	One-Time	Total
Reduced funding for salaries and wages	(\$1,465,975)	\$0	(\$1,465,975)
Reduced funding for operating expenses	(1,318,734)	0	(1,318,734)
Reduced funding for criminal justice information sharing	0	(\$292,144)	(292,144)
Reduced funding for law enforcement	(431,661)	0	(431,661)
Reduced funding for intellectual property attorney	(18,671)	0	(18,671)
Reduced funding for contracted higher education legal services	0	(100,000)	(100,000)
Total reductions	(\$3,235,041)	(\$392,144)	(\$3,627,185)
Percentage reduction to ongoing and one-time general fund appropriations	6.26%	10.67%	6.55%

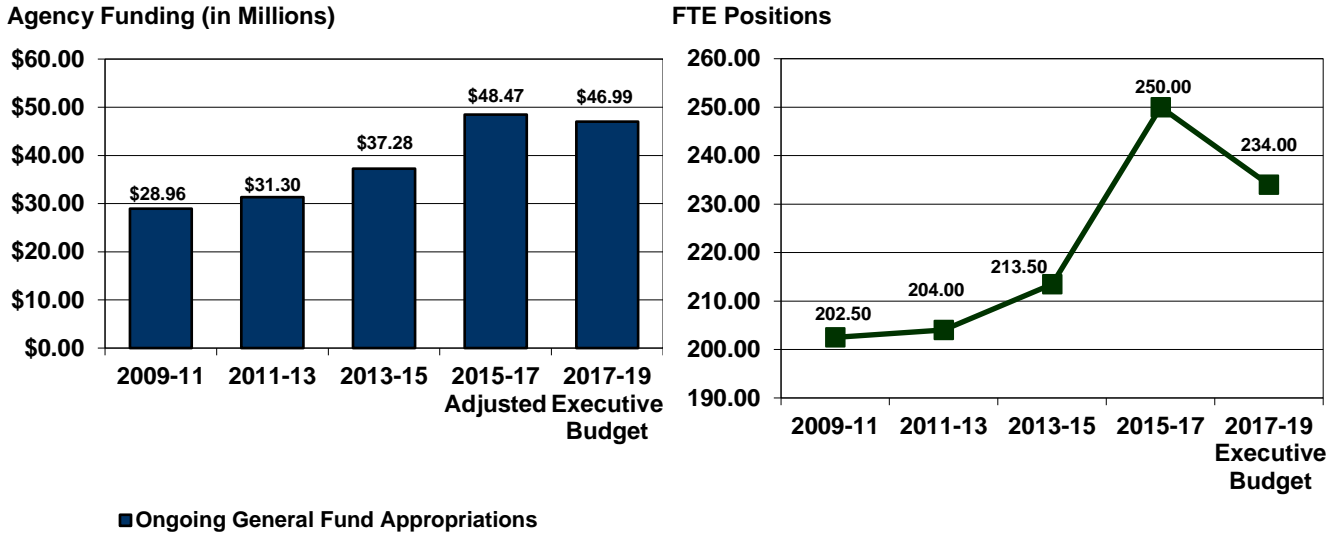
2017-19 Dalrymple Executive Budget Changes to the Original and Adjusted Base Budgets

	Changes to Original Budget	Budget Reduction Adjustments	Changes to Adjusted Budget
Adds funding for recommended salary and benefit increases	\$818,534	\$0	\$818,534
Reduces funding for salaries and wages	(522,049)	0	(522,049)
Removes 16 FTE positions	(2,418,480)	1,465,975	(952,505)
Changes funding source for 2 FTE positions	(262,767)	0	(262,767)
Adjusts funding for operating expenses	(1,117,593)	1,318,734	201,141
Reduces funding for criminal justice information sharing	(188,741)	0	(188,741)
Reduces funding for law enforcement	(651,009)	431,661	(219,348)
Adds funding for information technology disaster recovery system	46,703	0	46,703
Removes funding for abortion litigation fees	(400,000)	0	(400,000)
Adds funding for litigation fees	100,000	0	100,000
Adds funding for operating expenses	100,000	0	100,000
Reduces funding for equipment	(194,388)	0	(194,388)
Increases funding for the State Crime Laboratory building bond payments	529	0	529
Reduces funding for the intellectual property attorney	(18,671)	18,671	0
Total	(\$4,707,932)	\$3,235,041	(\$1,472,891)

Department 125 - Attorney General

Historical Appropriations Information

Ongoing General Fund Appropriations Since 2009-11



Ongoing General Fund Appropriations					
	2009-11	2011-13	2013-15	2015-17 Adjusted	2017-19 Dalrymple Executive Budget
Ongoing general fund appropriations	\$28,960,432	\$31,229,845	\$37,275,528	\$48,466,861	\$46,993,970
Increase (decrease) from previous biennium	N/A	\$2,269,413	\$6,045,683	\$11,191,333	(\$1,472,891)
Percentage increase (decrease) from previous biennium	N/A	7.8%	19.4%	30.0%	(3.0%)
Cumulative percentage increase (decrease) from 2009-11 biennium	N/A	7.8%	28.7%	67.4%	62.3%

Major Increases (Decreases) in Ongoing General Fund Appropriations

2011-13 Biennium

- Added funding for position reclassifications and salary equity adjustments for identification technicians \$190,501

2013-15 Biennium

- Added funding for salary equity increases for forensic scientists \$171,000
- Changed funding source from federal fiscal stimulus funds to general funds for 7 FTE positions \$1,037,590
- Added funding for 1 FTE synthetic drugs forensic scientist position \$146,039
- Added funding for potential litigation fees relating to abortion-related legislation approved by the Legislative Assembly \$400,000
- Added funding for operating expenses for the 24/7 sobriety program, criminal history record checks for concealed weapons licenses, fingerprint record checks for appraisal management companies and employees, and fingerprint record checks for insurance producers \$121,390

2015-17 Biennium (Original Amounts)

- Added law enforcement-related funding for 8 FTE criminal investigator positions, 3 FTE intelligence analyst positions, 2 FTE assistant Attorney General positions, 1 FTE administrative position, 1 FTE grants administrator position, 1 FTE forensic scientist position, and 0.5 FTE attorney position \$3,724,698
- Added 2 FTE criminal history identification technician positions \$310,536
- Added 1 FTE gaming auditor position \$82,907
- Added funding for transfer of the criminal justice information sharing system, including 3 FTE positions transferred and 1 new FTE business analyst position and related operating expenses \$3,270,219

- | | |
|---|-------------|
| 5. Restored 1 FTE programmer analyst position identified as one-time funding for the 2013-15 biennium | \$142,278 |
| 6. Added funding and 9 FTE positions for providing legal services to the North Dakota University System | \$3,079,724 |

2017-19 Biennium (Dalrymple and Burgum Executive Budget Recommendations)

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|--|-------------|
| 1. Removes 16 FTE positions. (The Burgum budget removed an additional 2 FTE positions and funding of \$328,200 from the general fund.) The House removed 3 FTE positions in addition to the Dalrymple budget and funding of \$134,000 from the general fund. The House underfunded salaries and wages from the general fund by \$929,297. | (\$952,505) |
| 2. Changes the funding source for 2 FTE positions. The House changed funding source for 6 additional FTE positions to federal and other funding sources. | (\$262,767) |
| 3. Adjusts funding for operating expenses. (The Burgum budget reduced an additional \$595,200 for operating expenses.) The House reduced an additional \$891,689 in funding from the general fund from the Dalrymple budget and increased funding from other funds by \$21,874. | \$201,141 |
| 4. Reduces funding for criminal justice information sharing | (\$188,741) |
| 5. Reduces funding for law enforcement | (\$219,348) |
| 6. Adds funding for information technology disaster recovery system | \$46,703 |
| 7. Removes funding for abortion litigation fees | (\$400,000) |
| 8. Adds funding for litigation fees | \$100,000 |
| 9. Adds funding for operating expenses | \$100,000 |
| 10. Reduces funding for equipment | (\$194,388) |